

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

TOMAS PAPOTE MERCADO

Defendant

CRIMINAL 11-0147CCC

**ORDER**

Having considered the Report and Recommendation filed on August 26, 2011 (**docket entry 26**) on a Rule 11 proceeding of defendant Tomás Papote Mercado (1) held before U.S. Magistrate Judge Bruce J. McGiverin on August 26, 2011, to which no opposition has been filed, the same is APPROVED. Accordingly, the plea of guilty of defendant Tomás Papote Mercado (1) is accepted. The Court FINDS that his plea was voluntary and intelligently entered with awareness of his rights and the consequences of pleading guilty and contains all elements of the offense charged in the indictment. The Court, however, defers its decision on whether to accept the Plea Agreement until it reviews the Presentence Investigation Report pursuant to Fed. R. Crim. P. 11(c)(3)(A).

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report since August 26, 2011. **The sentencing hearing is set for December 7, 2011 at 4:15 PM.**

SO ORDERED.

At San Juan, Puerto Rico, on September 8, 2011.

S/CARMEN CONSUELO CEREZO  
United States District Judge